

SPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Armstrong, R. A. et al) Art Unit: 1614
Serial No.: 10/715,177) Examiner:
Conf. No.: 4041)
Filed: 11/17/2003
For: Combination Of A PDE4 Inhibitor And Tiotropium Or Derivative
Thereof For Treating Obstructive Airways And Other Inflammatory
Diseases
Docket No.: 1/1345

Office of Initial Patent Examination's
Customer Service Center
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

February 23, 2005

**TRANSMITTAL LETTER FOR SUBMISSION OF
SUPPLEMENTAL APPLICATION DATA SHEET**

Sir:

The undersigned respectfully requests correction of the Application Data Sheet for Application **10/715,177**, Filing Date **November 17, 2003**, Confirmation Number **4041**.

Please correct the language in the Domestic Priority Information section as follows:

First row, first column please change "This Application" to --This Application is a--;

First row, second column please change "Continuation of" to --Continuation under 35 U.S.C. § 365(c) of --;

Second row, first column please change "This Application" to --Which claims benefit --;

Second row, second column please change "Nonprovisional of" to --Under 35 USC § 119(e) of US Provisional Application--;

Third row, first column please change "This Application" to --And--;

**Third row, second column please change "Nonprovisional of" to – Under 35
USC § 119(e) of US Provisional Application--
all of which is noted on the attached copy of the Supplemental Application
Data Sheet.**

The undersigned hereby requests that the United States Patent and Trademark
Office correct its records accordingly and issue a corrected Filing Receipt.

Respectfully submitted,



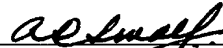
Andrea D. Small
Attorney for Applicant(s)
Reg. No. 54,859

Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road, P.O. Box 368
Ridgefield, CT 06877
Tel: (203) 798-4816
Date: February 23, 2005

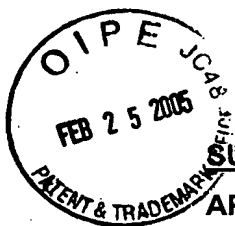
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on February 23, 2005.



Andrea D. Small, Reg. No. 54,859



SUPPLEMENTAL APPLICATION DATA SHEET

APPLICATION INFORMATION

| | |
|---|--|
| Application Type:: | Regular |
| Subject Matter:: | Utility |
| CD-ROM or CD-R?:: | None |
| Number of CD disks:: | |
| Number of copies of CDs:: | |
| Sequence submission?:: | None |
| Computer Readable Form (CRF)?:: | No |
| Number of copies of CRF:: | |
| Title:: | Combination Of A PDE4 Inhibitor And Tiotropium Or Derivative Thereof For Treating Obstructive Airways And Other Inflammatory Diseases |
| Attorney Docket Number:: | 1/1345 |
| Request for Early Publication?:: | No |
| Request for Non-Publication?:: | No |
| Total Drawing Sheets:: | 0 |
| Small Entity?:: | No |
| Petition included?:: | No |
| Secrecy Order in Parent Appl.?:: | No |

APPLICANT INFORMATION

| | |
|---|----------------------------------|
| Applicant Authority Type:: | Inventor |
| Primary Citizenship Country:: | US |
| Status:: | Full Capacity |
| Given Name:: | Rolsin |
| Middle Name:: | A. |
| Family Name:: | ARMSTRONG |
| City of Residence:: | Mystic |
| State or Province of Residence:: | CT |
| Country of Residence:: | US |
| Street of mailing address:: | 235 East 42 nd Street |

Page # 1

Serial No.: 10/715,177
Filing Date: 11/17/2003

Supplemental 02/23/05

City of mailing address:: New York
State or Province of mailing address:: NY
Country of mailing address:: US
Postal or Zip Code of mailing address:: 10017

Applicant Authority Type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: John
Middle Name:: W.
Family Name:: WATSON
City of Residence:: Ledyard
State or Province of Residence:: CT
Country of Residence:: US
Street of mailing address:: 235 East 42nd Street
City of mailing address:: New York
State or Province of mailing address:: NY
Country of mailing address:: US
Postal or Zip Code of mailing address:: 10017

Applicant Authority Type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: Michael
Family Name:: YEADON
City of Residence:: Sandwich, Kent
Country of Residence:: United Kingdom
Street of mailing address:: Ramsgate Road
City of mailing address:: Sandwich, Kent
Country of mailing address:: United Kingdom
Postal or Zip Code of mailing address:: CT13 9NJ

CORRESPONDENCE INFORMATION

Page # 2

Serial No.: 10/715,177
Filing Date: 11/17/2003

Supplemental 02/23/05

Correspondence Customer Number:: 28501

REPRESENTATIVE INFORMATION

Representative Customer Number:: 28501

DOMESTIC PRIORITY INFORMATION

| Application:: | Continuity Type:: | Parent Application:: | Parent Filing Date:: |
|--|--|----------------------|----------------------|
| This Application <u>This Application</u> is a | Continuation of <u>Continuation under</u> <u>35 U.S.C. § 365(c)</u> <u>of</u> | PCT/EP 02/05643 | 05/23/2002 |
| This Application <u>Which claims</u> <u>benefit</u> | Nonprovisional of <u>Under 35 USC §</u> <u>119(e) of US</u> <u>Provisional</u> <u>Application</u> | 60/303,845 | 07/09/2001 |
| This Application <u>And</u> | Nonprovisional of <u>Under 35 USC §</u> <u>119(e) of US</u> <u>Provisional</u> <u>Application</u> | 60/293,555 | 05/25/2001 |

ASSIGNEE INFORMATION

Assignee name:: Boehringer Ingelheim Pharma GmbH &
Co. KG
Street of mailing address:: Binger Strasse 173
City of mailing address:: Ingelheim
Country of mailing address:: Germany
Postal or Zip Code of mailing address:: 55216



ADS

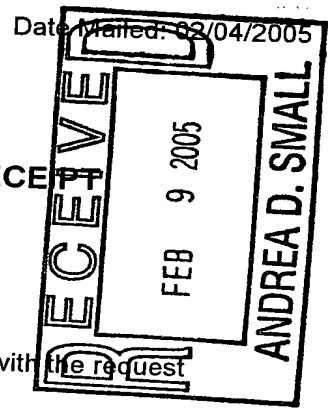
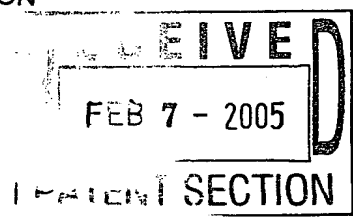
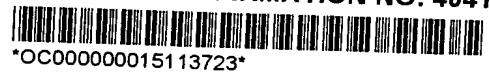
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| | | | |
|--------------------|-----------------------|-----------------------|------------------------|
| APPLICATION NUMBER | FILING OR 371(c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
| 10/715,177 | 11/17/2003 | Roisin A. Armstrong | 1/1345 |

28501
MICHAEL P. MORRIS
BOEHRINGER INGELHEIM CORPORATION
900 RIDGEBURY ROAD
P. O. BOX 368
RIDGEFIELD, CT 06877-0368

CONFIRMATION NO. 4041



RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☐ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: **Country, Application number, Filing date.**
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.



The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.

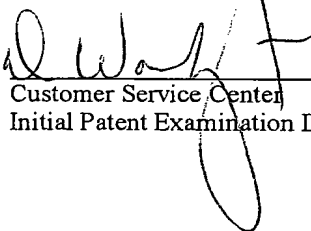
60303845 & 60293555



To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.



To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.



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